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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,566	03/17/2004	Yong-Chol Kwon	IK-0086	3451

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EXAMINER

MCCRAW, BARRY CLAYTON

ART UNIT	PAPER NUMBER
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3744

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,566

Applicant(s)

KWON, YONG-CHOL

Examiner

B. Clayton McCraw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-17 is/are allowed.
- 6) ☒ Claim(s) 1,6,9,10,18,21 and 24 is/are rejected.
- 7) ☒ Claim(s) 2-5,7,8,19,20,22 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 6, 10, 18, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Unger (US 5,526,854). Unger explicitly teaches a refrigerator door comprising an outer case forming the front appearance of a door (Figure 2, front of item 19), an inner case forming a rear appearance of the refrigerator (Figure 2, rear of item 19), an insulation layer formed between the outer case and the inner case (Figure 2, center of item 19), a dispenser (12) including a housing (26), and is formed with a recess section (col.4, lines 1-3), an external plate section (28) coupled to the front surface of the outer case to form an external appearance of the refrigerator door, an actuating lever (46) installed in the recess section of the housing for a discharge operation of water or ice from the dispenser and a driving level installed so as to open or close the ports according to actuating force of the actuating lever (col. 4, lines 28-60), the recess section of the housing formed with an opening section allowing water or ice cubes discharged from the water port or ice cube port to be introduced into the recess

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section (Figure 3), and an opening section for allowing water or ice cubes discharged from the water port or ice cube port to be introduced into the recess section (Figure 3, 23 and 63).

The examiner notes that although Unger does not explicitly disclose the dispenser being detachably coupled to the outer surface of the refrigerator, any coupled item that can be assembled can also be disassembled, and thus, is inherently a detachably coupled object.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 1, 6, 10, 18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger (US 5,526,854). Unger explicitly teaches a refrigerator door comprising an outer case forming the front appearance of a door (Figure 2, front of item 19), an inner case forming a rear appearance of the refrigerator (Figure 2, rear of item

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19), an insulation layer formed between the outer case and the inner case (Figure 2, center of item 19), a dispenser (12) including a housing (26), and is formed with a recess section (col.4, lines 1-3), an external plate section (28) coupled to the front surface of the outer case to form an external appearance of the refrigerator door, an actuating lever (46) installed in the recess section of the housing for a discharge operation of water or ice from the dispenser and a driving level installed so as to open or close the ports according to actuating force of the actuating lever (col. 4, lines 28-60), the recess section of the housing formed with an opening section allowing water or ice cubes discharged from the water port or ice cube port to be introduced into the recess section (Figure 3), and an opening section for allowing water or ice cubes discharged from the water port or ice cube port to be introduced into the recess section (Figure 3, 23 and 63). Since any coupled item that can be assembled can also be disassembled, it is inherently a detachably coupled object. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to detach a dispenser from the face of a refrigerator for maintenance or disassembly purposes.

5. Claims 9 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger (US 5,526,854) in view of Lee (5,881,930). Unger explicitly teaches the elements of the present invention as described above, but fails to teach a guide bar guiding the movement of the actuating lever. Lee explicitly teaches a guide bar guiding the movement of the actuating lever (item 540). It would have been obvious at the time the invention was made to combine the refrigerator as taught by Unger with the guide bar

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as taught by Lee, since the Lee lever is expressly meant to be used in combination with water dispensers in refrigerators for facilitating guided movement of an actuating lever.

Allowable Subject Matter

6. Claims 11-17 are allowed.
7. Claims 2-5, 7, 8, 19, 20, 22, 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

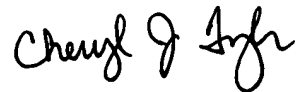
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Mawby et al. (US 5,359,795) teach a refrigerator door; Coates et al. (US 5,813,245) teach a refrigerator water filter; Bach et al. (US 6,039,219) teach a refrigerator; Heims et al. (US 2003/0019236) teach a refrigerator dispenser; Coates et al. (US 5,715,699) teach a refrigerator water filter; Jenkins et al. (US 5,909,937) teach a refrigerator door; and Jenkins et al. (US 2003/0024259) teach a refrigerator water filter.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Clayton McCraw whose telephone number is (571) 272-3665. The examiner can normally be reached on M-F 8:30AM-5:00PM.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BCM
4/20/2006



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SUPERVISORY PATENT EXAMINER